

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Steven E. Gardell

Confirmation No.: 2494

Serial No.: 09/460,455

Art Unit: 2153

Filed: 12/13/1999

Examiner: S. Reilly

Title: Methods and Apparatus for Integrating Services for Accessing the World Wide Web

Commissioner for Patents

PO Box 1450

Alexandria, VA 22313-1450

REQUEST FOR RECONSIDERATION OF THE HOLDING OF ABANDONMENT
(NO ABANDONMENT IN FACT)

Applicants received a Notice of Abandonment dated April 12, 2007, stating that the above-identified application is abandoned for failure to timely file a proper reply to the Office letter mailed on August 11, 2006. The Notice of Abandonment suggests that no response was submitted in response to Office Action.

Applicants submit that a response was filed on October 26, 2006, along with the extension of time fee for a two month extension of time. A copy of the response and fee transmittal are viewable in the Image File Wrapper (IFW) along with the Status Letter to Applicants verifying the electronic submission. A copy of the submission along with the Status Letter is attached herewith for the Office's convenience.

Accordingly, Applicants submit that there has been no abandonment in fact and respectfully request reconsideration of the holding of abandonment of the present application.

Applicants believe that no fee is due in connection with the filing of this paper. However, should the Commissioner deem a fee due in connection with this paper, please charge any shortage in fees, including extension of time fees, to Deposit Account 07-2347 and please credit any excess fees to such deposit account.

Respectfully submitted,

Date: April 17, 2007

/Eden U.I. Stright/

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Steven E. GARDELL, et al.
Title: METHODS AND APPARATUS FOR INTEGRATING SERVICES
FOR ACCESSING THE WORLD WIDE WEB
Appl. No.: 09/460,455
Filing Date: December 13, 1999
Examiner: S. Reilly
Art Unit: 2152

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO NOTICE OF NON-RESPONSIVE AMENDMENT

Applicant submits the following in response to the Office Action mailed August 11, 2006, in which the Examiner has indicated that the prior filed response by Applicant (to the Office Action dated October 17, 2005) was not fully responsive. The Examiner asserts in the Office Action that Applicant "failed to point out how new claims 71-82 overcome the prior art of record." Applicant does not agree that its response to the prior Office Action was not fully responsive, but in the interest of advancing prosecution of this matter, Applicant notes that new (never rejected) independent claim 71 recites:

- a hybrid fiber-coax (HFC) network;
- a headend connected to the HFC network and configured to transmit digital video signals over the HFC network
- a video server connected to the HFC network and configured to store video and transmit video on demand;
- an Internet access system connected to the headend and configured to receive first requested information, create second requested information based on the

first requested information, and transmit the second requested information over the HFC network;

a user interface device connected to the HFC network and a display device, the user interface device configured to receive digital video signals over the HFC network, receive the second requested information from the Internet access system over the HFC network, perform recomposition on the second requested information to create third requested information, and transmit the third requested information to a display device;

wherein the second requested information is created based on a display capability of the display device.

As noted by Applicant in its earlier response with respect to the main reference cited by the Examiner – U.S. Patent No. 5,727,159 to Kikinis (“Kikinis”) – Kikinis describes a “hand held computer 13” which is connected to a “Proxy Server 19.” (Kikinis, col. 4, ll. 17-24.) A user of the hand-held computer can enter a URL for an web site, which is sent to the proxy server. (Id., col. 9, ll. 61-67; Figure 4.) Proxy Server 19 retrieves the HTML page of the requested site and any images associated with the internet page from a web server 23. (Id., col. 10, ll. 9-18.) Proxy Server 19 converts the received images into a format appropriate to the hand-held device, and combines the HTML and converted images into a new single file, described as an “HT-Lite” or “HTL” file. (Id., col. 10, ll. 19-30.) The HTL file is sent to the hand held unit 13 and the HTL file is “dumped” to the screen of the hand-held device. (Id., col. 10, ll. 30-33; Figure 4.) Kikinis does not describe any further processing to the HTL file at the hand-held field unit, which is consistent with the description of the HTL file being “dumped” to the screen of the hand-held field unit. Kikinis also does not describe the contents of the HTL file – it merely states that the proxy server translates HTML and other files into “a form readily usable without extensive additional processing by the hand-held unit.” (Id., col. 7, ll. 17-20.)

None of the elements in claim 71 are taught or suggested by Kikinis. For example, missing from Kikinis are:

- a hybrid fiber-coax (HFC) network; a headend connected to the HFC network and configured to transmit digital video signals over the HFC network; and a video server connected to the HFC network and configured to store video and transmit video on demand;
- an Internet access system connected to the headend and configured to receive first requested information, create second requested information based on the first requested information, and transmit the second requested information over the HFC network;
- a user interface device connected to the HFC network and a display device, the user interface device configured to receive digital video signals over the HFC network, receive the second requested information from the Internet access system over the HFC network, perform recomposition on the second requested information to create third requested information, and transmit the third requested information to a display device; wherein the second requested information is created based on a display capability of the display device.

As Kikinis and the rest of the cited prior art do not teach or suggest the combination of elements recited in claim 71, Applicant believes claim 71 to be patentable over Kikinis and the cited art. As claims 72-82 all depend from claim 71, Applicant believes these claims to be patentable for at least the same reasons as claim 71

CONCLUSION

In view of the foregoing (and the previously submitted response), Applicant respectfully submits that the pending claims are in condition for allowance. Reconsideration and allowance are respectfully requested. If there are any outstanding issues which need to be resolved to place the application in condition for allowance, the Examiner is invited to contact Applicant's undersigned representative by phone at the number indicated below to discuss such issues. To the extent necessary, a petition for extension of time under 37 C.F.R. § 1.136 is hereby made, the fee for which should be charged to deposit account number 07-2347. With respect to this application, please charge any other necessary fees and credit any overpayment to that account.

Respectfully submitted,

Date: October 24, 2006

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Electronic Patent Application Fee Transmittal

Application Number:	09460455			
Filing Date:	13-Dec-1999			
Title of Invention:	METHODS AND APPARATUS FOR INTEGRATING SERVICES FOR ACCESSING THE WORLD WIDE WEB			
First Named Inventor/Applicant Name:	STEVEN E. GARDELL			
Filer:	Eden U.I. Stright			
Attorney Docket Number:	96-3-511-CON			
Filed as Large Entity				
Utility Filing Fees				
Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Basic Filing:				
Pages:				
Claims:				
Miscellaneous-Filing:				
Petition:				
Patent-Appeals-and-Interference:				
Post-Allowance-and-Post-Issuance:				
Extension-of-Time:				
Extension - 2 months with \$0 paid	1252	1	450	450

Description	Fee Code	Quantity	Amount	Sub-Total in USD(\$)
Miscellaneous:				
Total in USD (\$)				450

Electronic Acknowledgement Receipt

EFS ID:	1274711
Application Number:	09460455
International Application Number:	
Confirmation Number:	2494
Title of Invention:	METHODS AND APPARATUS FOR INTEGRATING SERVICES FOR ACCESSING THE WORLD WIDE WEB
First Named Inventor/Applicant Name:	STEVEN E. GARDELL
Customer Number:	32127
Filer:	Eden U.I. Stright
Filer Authorized By:	
Attorney Docket Number:	96-3-511-CON
Receipt Date:	26-OCT-2006
Filing Date:	13-DEC-1999
Time Stamp:	06:12:55
Application Type:	Utility

Payment information:

Submitted with Payment	yes
Payment was successfully received in RAM	\$450
RAM confirmation Number	882
Deposit Account	072347
The Director of the USPTO is hereby authorized to charge indicated fees and credit any overpayment as follows: Charge any Additional Fees required under 37 C.F.R. Section 1.16 and 1.17	

File Listing:

Document Number	Document Description	File Name	File Size(Bytes)	Multi Part /.zip	Pages (if appl.)
1	Applicant Arguments/Remarks Made in an Amendment	96-3-511C1_Resp-2006-10-25.pdf	102902	no	4

Warnings:

Information:

2	Fee Worksheet (PTO-875)	fee-info.pdf	8185	no	2
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Warnings:

Information:

Total Files Size (in bytes):			111087		
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This Acknowledgement Receipt evidences receipt on the noted date by the USPTO of the indicated documents, characterized by the applicant, and including page counts, where applicable. It serves as evidence of receipt similar to a Post Card, as described in MPEP 503.

New Applications Under 35 U.S.C. 111

If a new application is being filed and the application includes the necessary components for a filing date (see 37 CFR 1.53(b)-(d) and MPEP 506), a Filing Receipt (37 CFR 1.54) will be issued in due course and the date shown on this Acknowledgement Receipt will establish the filing date of the application.

National Stage of an International Application under 35 U.S.C. 371

If a timely submission to enter the national stage of an international application is compliant with the conditions of 35 U.S.C. 371 and other applicable requirements a Form PCT/DO/EO/903 indicating acceptance of the application as a national stage submission under 35 U.S.C. 371 will be issued in addition to the Filing Receipt, in due course.